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District Counsel

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE REGIONAL
MEDICAL CENTER,

Debtor.

GRAHAM PREWETT, INC.,

Plaintiff,

v.

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE REGIONAL
MEDICAL CENTER; DOES 1 through 100,

Defendants.

CASE NO. 17-13797

Chapter 9

Adv. No.:

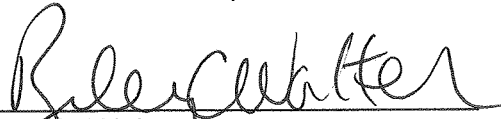
**EXHIBITS TO NOTICE OF REMOVAL
OF LAWSUIT PENDING IN STATE
COURT TO BANKRUPTCY COURT
(28 U.S.C. § 1452)**

EXHIBIT	DESCRIPTION	PAGES
A	Copies of process, pleadings, and minute entries and orders filed prior to removal in the matter styled <i>Graham Prewett, Inc. v. Tulare Local Health Care District, dba Tulare Regional Medical Center</i> , Case No. VCU269517, Tulare County Superior Court	12

Dated: January 4, 2018

WALTER WILHELM LAW GROUP,
a Professional Corporation

By:


Riley C. Walter,
Attorneys for Debtor,
Tulare Local Healthcare District, dba
Tulare Regional Medical Center

SUM-100

**SUMMONS
(CITACION JUDICIAL)****NOTICE TO DEFENDANT: Tulare Local Healthcare District
(AVISO AL DEMANDADO): dbaTulare Regional Medical Center****YOU ARE BEING SUED BY PLAINTIFF: Graham Prewett, Inc.
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desahocar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):

Tulare County Superior Court
221 S. Mooney Blvd #209
Visalia, CA 93291

CASE NUMBER
(Número del Caso)**269517**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Joseph L. Naegele, Esq.
5000 N. Rodeo Gulch
Soquel, Ca 95073
831-477-7766

DATE: 4/13/17
(Fecha)

MAY 03 2017**LaRayne Cleek**

Clerk, by

(Secretario)

Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

[SEAL]

COURT SEAL

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)☐ CCP 416.20 (defunct corporation)☐ CCP 416.40 (association or partnership)☐ other (specify):

4. ☐ by personal delivery on (date):

☐ CCP 416.60 (minor)☐ CCP 416.70 (conservatee)☐ CCP 416.90 (authorized person)

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 (Rev. July 1, 2009)

SUMMONSLegal
Solutions
24 PlusPage 1 of 1
Code of Civil Procedure §§ 412.20, 465**Scanned by CamScanner****EXHIBIT**

Page 1 Of 2

B-15
TANC

FILED
TULARE COUNTY SUPERIOR COURT
VISALIA DIVISION

MAY 03 2017

BY: LARAYNE GLECK, CLERK
[Signature]

CASE MANAGEMENT CONFERENCE

Hearing Date: 9-10-17
Time: 8:30
Department: 7

Joseph L. Naegel, Esq. SBN 105220
5000 N. Rodeo Gulch
Soquel, California 95073
Telephone: (831) 477-7766
Facsimile: (831) 477-7555

Attorneys for Plaintiff Graham Prewett, Inc.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF TULARE

Graham Prewett, Inc.

No: **269517**

Plaintiff

v.

Tulare Local Healthcare District,
dba Tulare Regional Medical Center and
Does 1-100, inclusive,

Defendants

COMPLAINT FOR BREACH OF CONTRACT,
ACCOUNT STATED AND ATTORNEYS FEES

Assigned to Judicial Officer **BRET D. HILLMA**
For All Purposes

Plaintiff, Graham Prewett Inc., alleges that, at all relevant times herein:

GENERAL ALLEGATIONS

1. Plaintiff is a corporation duly organized and existing under the laws of the State of California.
2. Plaintiff is informed and believes and thereon alleges that Defendant Tulare Local Healthcare District is a non-profit corporation under the laws of California with its principle

1
2 place of business located at 869 N.Cherry Street, Tulare, CA 93274. Said Defendant is doing
3
4 business as a Health Care Center in Tulare County and contracted with Plaintiff to construct the
5
6 work of improvement that is the subject of this action.

7 3. Plaintiff is ignorant of the true names of the defendants named as Docs 1 through 100.
8 Therefore sues said defendants by such fictitious names pursuant to Code of Civil Procedure
9 {474.

10 4.. Each defendant was and is the agent of each other defendant and acted within the course and
11 scope of said agency and employment.
12

13
14 **FIRST CAUSE OF ACTION**
15 **(Breach of Contract)**

16 5. Plaintiff incorporates herein by reference the allegations in paragraphs 1-4 above.

17 6. On or about October 1, 2014, Plaintiff entered into a written contract with Defendant Tulare
18 Local Health Care District Inc., and Docs 1-10, and each of them ("the contract"). By the terms
19 of the contract, plaintiff agreed to construct portions of works of improvement known as the
20 Tulare Regional Medical Center located in Tulare, California.
21

22 7. Plaintiff duly completed said work. Said Defendant have paid only a portion of the contract
23 and the sum of \$45,453.60 is owed to Plaintiff.
24

25 8. On or about March 16, 2016 Defendant brached the contract by failing and refusing to pay the
26 balance owed to plaintiff under the contract after having accepted the benefits of the contract.

27 9. As a proximate result of Defendant's breach of the contract, plaintiff has sustained damages
28

1
2 in the sum of \$45,453.60, together with interest at the rate of 12% per year from March 16,
3 2016, to the date of judgement.
4

5 **SECOND CAUSE OF ACTION**
6 **(Account Stated)**

7 10. Plaintiff incorporates herein by reference the allegations in paragraphs 1-4 and 5-9 above.

8 11. Within the last four years, Defendant The Tulare Local Health Care District, and Does 21-30

9 became indebted to Plaintiff in the total sum of \$209,789, excluding interest, because an
10 account was stated in writing by and between Defendant and Plaintiff, in which it was agreed
11 that said Defendants were indebted to Plaintiff in connection with Plaintiff's furnishing valuable
12 services at Defendant's request.
13

14 12. The sum of \$45,453.60, which is the reasonable value, is due and unpaid despite Plaintiff's
15 demand, plus prejudgment interest according to proof at the legal rate of 12% per year, from
16 March 16, 2016 on the sum of \$45,453.60 to the date of judgment.
17

18 13. Plaintiff is also entitled to reasonable attorney's fees according to proof pursuant to Civil
19 Code {1717.5 and Code of Civil Procedure {337a.
20

21 12. Plaintiff is informed and believes and thereon alleges that Tulare Local Health Care District
22 had the capacity to pay for the labor and materials at the time they contracted with plaintiff.
23

24 13. Although demand has been made, the principle sum due under the agreement referred to in
25 the First and Second Causes of Actions remains unpaid.
26

27 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as follows:

28 1. On the First Cause of Action, for money damages in the sum of \$45,453.60 with interest

thereon at the legal rate of 12% per year from March 16, 2016 to the date of judgment,
and reasonable attorney's fees and experts' fees as provided in the contract;

2. On the Second Cause of Action; for money damages in the sum of \$45,453.60 with interest

Thereon at the legal rate of 12% per year from March 16, 2016 to the date of judgment.

3. For attorneys fees;
4. On all causes of action, for costs of suit; and
5. Such other and further relief as the court deems just and proper

Respectfully submitted.

Dated April 19, 2017

By [Signature]
Joseph L. Naegele, Esq.
Attorney for Plaintiff
Graham Prewett Inc.

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address) Joseph L. Naegele, Esq. 5000 N. Rodeo Gulch Soquel, CA 95073		FOR COURT USE ONLY FILED TULARE COUNTY SUPERIOR COURT VISALIA DIVISION MAY 03 2017 LARAYNE CLEEK, CLERK BY: <i>[Signature]</i>	
TELEPHONE NO 831-477-7766 FAX NO 831-477-7555 ATTORNEY FOR (Name) <u>Graham Prewett, Inc v Tulare Local HD</u>			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Tulare STREET ADDRESS 221 S. Mooney Blvd #209 MAILING ADDRESS 221 S. Mooney Blvd #209 CITY AND ZIP CODE Visalia, CA 93291 BRANCH NAME			
CASE NAME: <u>Graham Prewett, Inc. vs Tulare Local Healthcare Distric</u>		CASE NUMBER 269517	
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		JUDGE BRET D. HILLMAN DEPT	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input checked="" type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (25) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
--	---	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): Two

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 4/13/17

Joseph L. Naegele, Esq.
(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

Form Adopted for Mandatory Use
Judicial Council of California
CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Legal
Solutions
& PlusCal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740,
Cal. Standards of Judicial Administration, std. 3.10

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EXHIBIT

Page 1 of 2

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)
Auto (22)—Personal Injury/Property Damage/Wrongful Death	Breach of Contract/Warranty (06)	Antitrust/Trade Regulation (03)
Uninsured Motorist (46) <i>(If the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)</i>	Breach of Rental/Lease Contract <i>(not unlawful detainer or wrongful eviction)</i>	Construction Defect (10)
	Contract/Warranty Breach—Seller Plaintiff <i>(not fraud or negligence)</i>	Claims Involving Mass Tort (40)
Other PUPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Negligent Breach of Contract/Warranty	Securities Litigation (28)
Asbestos (04)	Other Breach of Contract/Warranty	Environmental/Toxic Tort (30)
Asbestos Property Damage	Collections (e.g., money owed, open book accounts) (09)	Insurance Coverage Claims <i>(arising from provisionally complex case type listed above)</i> (41)
Asbestos Personal Injury/Wrongful Death	Collection Case—Seller Plaintiff	Enforcement of Judgment
Product Liability <i>(not asbestos or toxic/environmental)</i> (24)	Other Promissory Note/Collections Case	Enforcement of Judgment (20)
Medical Malpractice (45)	Insurance Coverage <i>(not provisionally complex)</i> (18)	Abstract of Judgment (Out of County)
Medical Malpractice—Physicians & Surgeons	Auto Subrogation	Confession of Judgment <i>(non-domestic relations)</i>
Other Professional Health Care Malpractice	Other Coverage	Sister State Judgment
Other PI/PD/WD (23)	Other Contract (37)	Administrative Agency Award <i>(not unpaid taxes)</i>
Premises Liability (e.g., slip and fall)	Contractual Fraud	Petition/Certification of Entry of Judgment on Unpaid Taxes
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)	Other Contract Dispute	Other Enforcement of Judgment Case
Intentional Infliction of Emotional Distress	Real Property	Miscellaneous Civil Complaint
Negligent Infliction of Emotional Distress	Eminent Domain/Inverse Condemnation (14)	RICO (27)
Other PI/PD/WD	Wrongful Eviction (33)	Other Complaint <i>(not specified above)</i> (42)
Non-PI/PD/WD (Other) Tort	Other Real Property (e.g., quiet title) (26)	Declaratory Relief Only
Business Tort/Unfair Business Practice (07)	Writ of Possession of Real Property	Injunctive Relief Only <i>(non-harassment)</i>
Civil Rights (e.g., discrimination, false arrest) <i>(not civil harassment)</i> (08)	Mortgage Foreclosure	Mechanics Lien
Defamation (e.g., slander, libel) (13)	Quiet Title	Other Commercial Complaint Case <i>(non-tort/non-complex)</i>
Fraud (16)	Other Real Property <i>(not eminent domain, landlord/tenant, or foreclosure)</i>	Other Civil Complaint <i>(non-tort/non-complex)</i>
Intellectual Property (19)	Unlawful Detainer	Miscellaneous Civil Petition
Professional Negligence (25)	Commercial (31)	Partnership and Corporate Governance (21)
Legal Malpractice	Residential (32)	Other Petition <i>(not specified above)</i> (43)
Other Professional Malpractice <i>(not medical or legal)</i>	Drugs (38) <i>(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)</i>	Civil Harassment
Other Non-PI/PD/WD Tort (35)	Judicial Review	Workplace Violence
Employment	Asset Forfeiture (05)	Elder/Dependent Adult Abuse
Wrongful Termination (36)	Petition Re: Arbitration Award (11)	Election Contest
Other Employment (15)	Writ of Mandate (02)	Petition for Name Change
	Writ—Administrative Mandamus	Petition for Relief From Late Claim
	Writ—Mandamus on Limited Court Case Matter	Other Civil Petition
	Writ—Other Limited Court Case Review	
	Other Judicial Review (39)	
	Review of Health Officer Order	
	Notice of Appeal—Labor Commissioner Appeals	

CM-180

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Walter Wilhelm Law Group / Danielle J. Bethel #315945 205 E. River Park Circle, Ste. 410 Fresno, CA 93720 TELEPHONE NO.: 559-435-9800 FAX NO. (Optional): 559-435-9868 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Defendant, Tulare Local Hospital District	FOR COURT USE ONLY FILED TULARE COUNTY SUPERIOR COURT VISALIA DIVISION OCT 12 2017 STEPHANIE CAMERON, CLERK BY: Pauline Nigghi
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Tulare STREET ADDRESS: 221 S. Mooney Blvd. MAILING ADDRESS: CITY AND ZIP CODE: Visalia, CA 93291 BRANCH NAME: Civil Unlimited	
PLAINTIFF/PETITIONER: Graham Prewett, Inc. DEFENDANT/RESPONDENT: Tulare Local Healthcare District	
NOTICE OF STAY OF PROCEEDINGS	CASE NUMBER: VCU269517
	JUDGE: DEPT.:

To the court and to all parties:

1. Declarant (name): Danielle J. Bethel

- a. ☒ is ☐ the party ☒ the attorney for the party who requested or caused the stay.
- b. ☐ is ☐ the plaintiff or petitioner ☐ the attorney for the plaintiff or petitioner. The party who requested the stay has not appeared in this case or is not subject to the jurisdiction of this court.

2. This case is stayed as follows:

- a. ☐ With regard to all parties.
- b. ☒ With regard to the following parties (specify by name and party designation): See Attached

3. Reason for the stay:

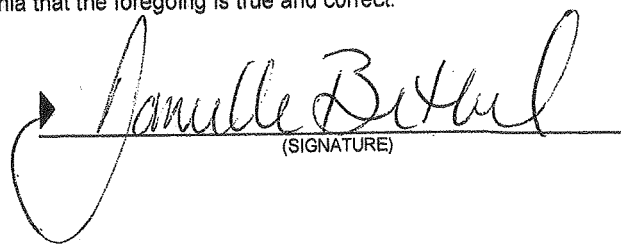
- a. ☒ Automatic stay caused by a filing in another court. (Attach a copy of the Notice of Commencement of Case, the bankruptcy petition, or other document showing that the stay is in effect, and showing the court, case number, debtor, and petitioners.)
- b. ☐ Order of a federal court or of a higher California court. (Attach a copy of the court order.)
- c. ☐ Contractual arbitration under Code of Civil Procedure section 1281.4. (Attach a copy of the order directing arbitration.)
- d. ☐ Arbitration of attorney fees and costs under Business and Professions Code section 6201. (Attach a copy of the client's request for arbitration showing filing and service.)
- e. ☐ Other:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: October 9, 2017

Danielle J. Bethel

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE)

Attachment to Notice of Stay of Proceedings #2(b)

Tulare Local Healthcare District, dba Tulare Regional Medical Center

Filed 09/30/17

Case 17-13797

Doc 1

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF CALIFORNIA

Case number (if known)

Chapter 9☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Tulare Local Healthcare District

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

dba Tulare Regional Medical Center3. Debtor's federal Employer Identification Number (EIN) 94-60028974. Debtor's address Principal place of business

Mailing address, if different from principal place of business

869 N. Cherry St.
Tulare, CA 93274

Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP CodeTulare
County

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code5. Debtor's website (URL) <https://sites.google.com/view/tlhcd>

6. Type of debtor

☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☒ Other. Specify: Municipality/Government Entity

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF TULARE

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; I am an employee of Walter & Wilhelm Law Group, 205 East River Park Circle, Suite 410, Fresno, CA 93720.

On October 10, 2017, served the foregoing document(s) described as:

1. NOTICE OF AUTOMATIC STAY PURSUANT TO 11 U.S.C. §§ 362(a) and 901(a)

on the party/parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Attorneys for Plaintiff, Graham Prewett Inc:
LAW OFFICES OF JOSEPH L. NAEGELE
Joseph L. Naegele, Sr.
5000 N. Rodeo Gulch Road
Soquel, CA 95073-9781

Defendant, Tulare Local Healthcare
District, dba Tulare Regional Medical
Center:
Tulare Local Healthcare District, dba
Tulare Regional Medical Center
869 N. Cherry Street
Tulare, CA 93274

COURTESY COPY:
District Counsel for Tulare Local
Healthcare District, dba Tulare Regional
Medical Center:
MCCORMICK BARSTOW, LLP
Timothy L. Thompson
Mandy L. Jeffcoach
Niki E. Cunningham
7647 N. Fresno Street
Fresno, CA 93720

XX (U.S. POSTAL SERVICE) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Fresno, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

Executed on October 10, 2017, at Fresno, California.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

1 I declare under penalty of perjury under the laws of the State of California that the
 2 foregoing is true and correct.

3 Terry L. Beck
 4 Terry L. Beck

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